

# PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

## PCT

### NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

|   |  |                                     |                    |
|---|--|-------------------------------------|--------------------|
| To: PAUL T. CLARK<br>CLARK & ELBING LLP<br>176 FEDERAL STREET<br>BOSTON, MASSACHUSETTS 02110-2214 | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 2px;">Date of Mailing<br/>(day/month/year)</td> <td style="padding: 2px;"><b>15 JAN 2002</b></td> </tr> </table> | Date of Mailing<br>(day/month/year) | <b>15 JAN 2002</b> |
| Date of Mailing<br>(day/month/year)   | <b>15 JAN 2002</b>   |                                     |                    |
| Applicant's or agent's file reference<br>04843/080WO2   | <b>FOR FURTHER ACTION</b> See paragraphs 1 and 4 below   |                                     |                    |
| International application No.<br>PCT/US01/41424   | International filing date<br>(day/month/year)<br>27 JULY 2001  |                                     |                    |
| Applicant<br>THE MCLEAN HOSPITAL CORPORATION  |  |                                     |                    |

|    |                                     |   |
|----|-------------------------------------|---|
| 1. | <input checked="" type="checkbox"/> | The applicant is hereby notified that the international search report has been established and is transmitted herewith.<br><br><b>Filing of amendments and statement under Article 19:</b><br>The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):<br><br><b>When?</b> The time limit for filing such amendments is normally 2 months from the date of transmittal of the international search report; however, for more details, see the notes on the accompanying sheet.<br><br><b>Where?</b> Directly to the International Bureau of WIPO<br>34, chemin des Colombettes<br>1211 Geneva 20, Switzerland<br>Facsimile No.: (+1-22) 740.14.35<br><br>For more detailed instructions, see the notes on the accompanying sheet.  |
| 2. | <input type="checkbox"/>            | The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.  |
| 3. | <input type="checkbox"/>            | <b>With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:</b><br><br><div style="margin-left: 20px;"> <input type="checkbox"/> the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.<br/> <input type="checkbox"/> no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.                 </div>   |
| 4. |                                     | <b>Further action(s):</b> The applicant is reminded of the following:<br><br>Shortly after 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in rules 90 bis 1 and 90 bis 3, respectively, before the completion of the technical preparations for international publication.<br><br>Within 19 months from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).<br><br>Within 20 months from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II. |

|   |   |
|---|---|
| Name and mailing address of the ISA/US<br>Commissioner of Patents and Trademarks<br>Box PCT<br>Washington, D.C. 20231 | Authorized officer <i>Janice M. Ford</i><br>ANNE-MARIE BAKER, PH.D.<br><br>Telephone No. (703) 308-0196 |
| Facsimile No. (703) 305-3230  |   |

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

|   |  |   |
|---|--|---|
| Applicant's or agent's file reference<br>04849/080WO2 | <div style="display: flex; justify-content: space-between;"> <div> <b>FOR FURTHER ACTION</b> </div> <div> <small>see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.</small> </div> </div> |   |
| International application No.<br>PCT/US01/+1424       | International filing date (day/month/year)<br>27 JULY 2001   | (Earliest) Priority Date (day/month/year)<br>27 JULY 2000 |
| Applicant<br>THE MCLEAN HOSPITAL CORPORATION          |  |   |

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

#### 1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the
- ☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
2. ☐ Certain claims were found unsearchable (See Box I).
3. ☐ Unity of invention is lacking (See Box II).
4. With regard to the **title**.
- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established by this Authority to read as follows:

#### 5. With regard to the **abstract**,

- ☒ the text is approved as submitted by the applicant.
- ☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

#### 6. The figure of the **drawings** to be published with the abstract is Figure No. \_\_\_\_\_

- ☐ as suggested by the applicant.
- ☐ because the applicant failed to suggest a figure.
- ☐ because this figure better characterizes the invention.

☒ None of the figures

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/US01/41424

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : A61K 35/00

US CL : 424/93.1, 93.2, 93.21, 93.7; 435/455

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 424/93.1, 93.2, 93.21, 93.7; 435/455

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

Please See Extra Sheet.

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category* | Citation of document, with indication, where appropriate, of the relevant passages  | Relevant to claim No. |
|-----------|---|-----------------------|
| Y         | BRUSTLE et al. Embryonic stem cell-derived glial precursors: A source of myelinating transplants. Science. 30 July 1999, Vol. 285, pages 754-756, see entire document.  | 1-18                  |
| Y         | LINDVALL. Engineering neurons for Parkinson's disease. Nature Biotechnology. July 1999, Vol. 17, pages 635-636, see entire document.  | 1-18                  |
| Y         | McDONALD et al. Transplanted embryonic stem cells survive, differentiate and promote recovery in injured rat spinal cord. Nature Medicine. December 1999, Vol. 5, No. 12, pages 1410-1412, see entire document. | 1-18                  |

☒ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

| * Special categories of cited documents:   | "T" | later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  |
|--|-----|--|
| "A" document defining the general state of the art which is not considered to be of particular relevance   | "X" | document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone   |
| "E" earlier document published on or after the international filing date   | "Y" | document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art |
| "L" document which may throw doubt on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) | "A" | document member of the same patent family  |
| "O" document referring to an oral disclosure, use, exhibition or other means   |     |  |
| "P" document published prior to the international filing date but later than the priority date claimed   |     |  |

|   |   |
|---|---|
| Date of the actual completion of the international search<br>09 NOVEMBER 2001   | Date of mailing of the international search report<br>15 JAN 2002   |
| Name and mailing address of the ISA/US<br>Commissioner of Patents and Trademarks<br>Box PCT<br>Washington, D.C. 20231 | Authorized officer <i>Janice M. Ford</i><br>ANNE-MARIE BAKER, PH.D. |
| Facsimile No. (703) 305-3230  | Telephone No. (703) 308-0196  |

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US01/41424

## C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

| Category* | Citation of document, with indication, where appropriate, of the relevant passages   | Relevant to claim No. |
|-----------|--|-----------------------|
| Y         | REYNOLDS et al. Generation of neurons and astrocytes from isolated cells of the adult mammalian central nervous system. Science. 27 March 1992, Vol. 255, pages 1707-1710, see entire document.            | 1-18                  |
| Y         | WAGNER et al. Induction of a midbrain dopaminergic phenotype in Nurr1-overexpressing neural stem cells by type 1 astrocytes. Nature Biotechnology. July 1999, Vol. 17, pages 653-659, see entire document. | 1-18                  |
| Y         | WO 94/09119 A1 (NEUROSPHERES LTD.) 28 April 1994, see entire document.   | 1-18                  |
| Y         | WO 94/10292 A1 (NEUROSPHERES LTD.) 11 MAY 1994, see entire document.   | 1-18                  |
| Y         | WO 94/16718 A1 (NEUROSPHERES LTD.) 04 August 1994, see entire document.  | 1-18                  |

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US01/41424

## B. FIELDS SEARCHED

Electronic data bases consulted (Name of data base and where practicable terms used):

WEST

Dialog (file:medicine)

search terms: embryonic(w)stem, differentiat?, isacson, kim, neural, neuronal, neuron, nurr-1, nurr1, ptx3, phox, ap2, shh, tesc, TSCs